



#14
VT
4/26/04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

BYRNE *et al.*

Appl. No.: 09/733,848

Filed: December 8, 2000

For: System For Embedding
Programming Language Content In
Voice XML

Confirmation No.: 2028

Art Unit: 2645

Examiner: Simon P. Sing

Atty. Docket: 2222.0310000

**Revocation of Prior Power of Attorney and
Appointment of New Attorneys of Record**

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Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

APR 23 2004

Technology Center 2600

Sir:

The undersigned, having express authority to represent Ben Franklin Patent Holding LLC, the assignee of the entire right, title, and interest in the above-captioned application, by assignment filed at the U.S. Patent and Trademark Office on April 9, 2004 (copy enclosed), hereby revokes all powers of attorney heretofore given in the above-captioned application and appoints as his attorneys the attorneys associated with Customer Number 28393, those attorneys currently being: Robert Greene Sterne, Esq., Registration No. 28,912; Edward J. Kessler, Esq., Registration No. 25,688; Jorge A. Goldstein, Esq., Registration No. 29,021; David K.S. Cornwell, Esq., Registration No. 31,944; Robert W. Esmond, Esq., Registration No. 32,893; Tracy-Gene G. Durkin, Esq., Registration No. 32,831; Michele A. Cimbala, Esq., Registration No. 33,851; Michael B. Ray, Esq., Registration No. 33,997; Robert E. Sokohl, Esq., Registration No. 36,013; Eric K. Steffe, Esq., Registration No. 36,688; Michael Q. Lee, Esq., Registration No. 35,239; Steven R. Ludwig, Esq., Registration No. 36,203; John M. Covert, Esq., Registration No. 38,759; Linda E. Alcorn, Esq., Registration No. 39,588; Lawrence B. Bugaisky, Esq., Registration No. 35,086; Donald J. Featherstone, Esq., Registration No.

33,876; Robert C. Millonig, Esq., Registration No. 34,395; Michael V. Messinger, Esq., Registration No. 37,575; Judith U. Kim, Esq., Registration No. 40,679; Timothy J. Shea, Jr., Esq., Registration No. 41,306; Patrick E. Garrett, Esq., Registration No. 39,987; with full power of substitution, association, and revocation, to prosecute said application and to transact all business in the United States Patent and Trademark Office connected therewith.

For the purpose of PAIR, the Customer Number is 26111.

The undersigned hereby grants said attorneys the power to insert on this Power of Attorney any further identification that may be necessary or desirable in order to comply with the rules of the U.S. Patent and Trademark Office.

Send all correspondence to:

Customer Number 26111
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.
1100 New York Avenue, N.W.
Washington, D.C. 20005-3934.

Direct telephone calls to (202) 371-2600.

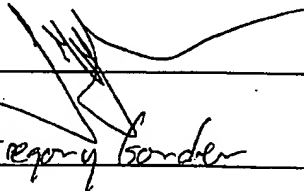
FOR: Ben Franklin Patent Holding LLC

SIGNATURE: _____

BY: _____

TITLE: _____

DATE: _____



Gregory Bender

Managing Director

April 9, 2004

APR 2 1 2004

PATENT & TRADEMARK OFFICE

PTO/SB/98 (08-03)
Approved for use through 07/31/2006. OMB 0851-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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STATEMENT UNDER 37 CFR 3.73(b)

2222.0310000

Applicant/Patent Owner: BYRNE et al.

Application No./Patent No.: 09/733,848 Filed/Issue Date: December 8, 2000

Entitled: System For Embedding Programming Language Content In Voice XML

Ben Franklin Patent Holding LLC, a corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____ % in the patent application patent identified above by virtue of either:
- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: Byrne et al. To: General Magic, Inc.
The document was recorded in the Patent and Trademark Office at
Reel 011668, Frame 0548, or for which a copy thereof is attached.
2. From: General Magic, Inc. To: Intellectual Ventures Patent Holding I, L.L.C.
The document was recorded in the Patent and Trademark Office at
Reel 014313, Frame 0612, or for which a copy thereof is attached.
3. From: Intellectual Ventures Patent Holding I, L.L.C. To: Ben Franklin Patent Holding LLC
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☒ Copies of assignments or other documents in the chain of title are attached.
[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

April 09, 2004
Date

Telephone number

Gregory Gorder
Typed or printed name
[Signature]
Signature
Managing Director
Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you are required to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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ASSIGNMENT

For good and valuable consideration, receipt of which is hereby acknowledged, we

Michael Achenbach
Beth A. Bottos
William J. Byrne
Mitsuru Oshima
Dai Zhu

of Los Altos, California
 of San Jose, California
 of Sunnyvale, California
 of Cupertino, California
 of San Jose, California

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APR 23 2004

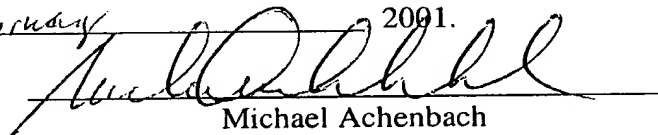
Technology Center 2600

hereby sell, assign and transfer to General Magic Inc., a Delaware corporation, having a place of business at 420 North Mary Avenue, Sunnyvale, California 94085, its successors and assigns, the entire right, title and interest throughout the world in our invention in:

**SYSTEM FOR EMBEDDING PROGRAMMING LANGUAGE CONTENT IN VOICE
XML**

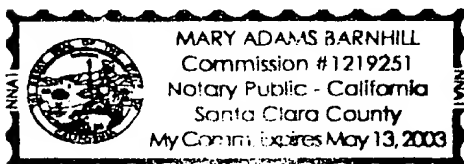
for which we have executed a United States patent application on or about the date of this assignment, and all patent applications and patents of every country for said invention, including divisions, reissues, continuations and extensions thereof, and all rights of priority resulting from the filing of said applications; we authorize the above-named assignee to apply for patents of foreign countries for said invention, and to claim all rights of priority without further authorization from us; we agree to execute all papers useful in connection with said United States and foreign applications, and generally to do everything possible to aid said assignee, their successors, assigns and nominees, at their request and expense, in obtaining and enforcing patents for said invention in all countries; and we request that the United States Patent and Trademark Office issue all patents granted for said invention to the above-named assignee, its successors and assigns.

Executed this 26 day of February, 2001.

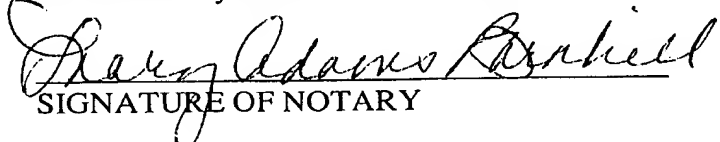

 Michael Achenbach

State of CALIFORNIA)
) ss.
 County of SANTA CLARA

On FEBRUARY 26, 2001 before me, MARY ADAMS BARNHILL
 personally appeared MICHAEL ACHENBACH personally,
 known to me or proved to me on the basis of satisfactory evidence to be the person(s) whose
 name(s) is(are) subscribed to the within instrument and acknowledged to me that he/she/they
 executed the same in his/her/their authorized capacity(ies), and that by his/her/their
 signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s)
 acted, executed the instrument.

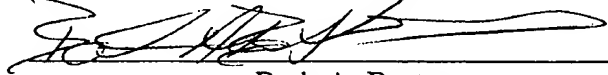


WITNESS my hand and official seal.


 SIGNATURE OF NOTARY

DO NOT FORWARD
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Executed this 2ND day of MARCH, 2001.

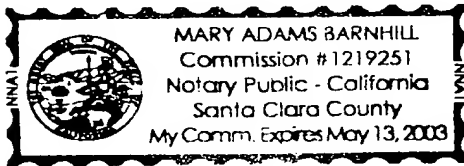


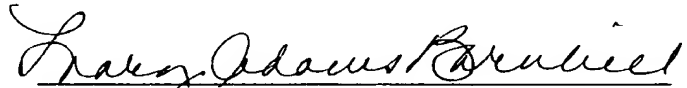
Beth A. Bottos

State of CALIFORNIA)
) ss.
County of SANTA CLARA

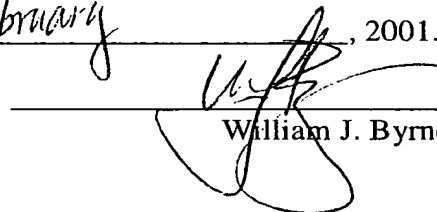
On MARCH 2, 2001 before me, MARY ADAMS BARNHILL
personally appeared BETH A. BOTTOS personally
known to me or proved to me on the basis of satisfactory evidence to be the person(s) whose
name(s) is(are) subscribed to the within instrument and acknowledged to me that he/she/they
executed the same in his/her/their authorized capacity(ies), and that by his/her/their
signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s)
acted, executed the instrument.

WITNESS my hand and official seal.




SIGNATURE OF NOTARY

Executed this 24 day of February, 2001.

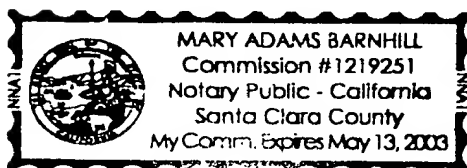


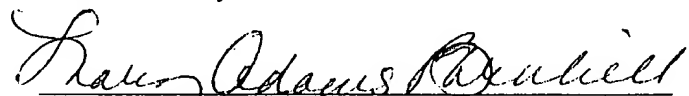
William J. Byrne

State of CALIFORNIA)
) ss.
County of SANTA CLARA

On FEBRUARY 26, 2001 before me, MARY ADAMS BARNHILL
personally appeared WILLIAM J. BYRNE personally
known to me or proved to me on the basis of satisfactory evidence to be the person(s) whose
name(s) is(are) subscribed to the within instrument and acknowledged to me that he/she/they
executed the same in his/her/their authorized capacity(ies), and that by his/her/their
signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s)
acted, executed the instrument.

WITNESS my hand and official seal.




SIGNATURE OF NOTARY

Executed this 23 day of February, 2001.

M Oshima
Mitsuru Oshima

State of California)
County of Santa Clara) ss.

On February 23 2001 before me, Mary Adams Barnhill
personally appeared Mitsuru Oshima personally
known to me or proved to me on the basis of satisfactory evidence to be the person(s) whose
name(s) is(are) subscribed to the within instrument and acknowledged to me that he/she/they
executed the same in his/her/their authorized capacity(ies), and that by his/her/their
signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s)
acted, executed the instrument.

WITNESS my hand and official seal.



Mary Adams Barnhill
SIGNATURE OF NOTARY

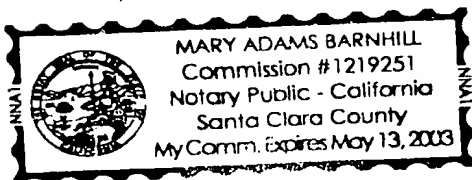
Executed this 26 day of February, 2001.

Dai Zhu
Dai Zhu

State of CALIFORNIA)
County of SANTA CLARA) ss.

On FEBRUARY 26 2001 before me, MARY ADAMS BARNHILL
personally appeared DAI ZHU personally
known to me or proved to me on the basis of satisfactory evidence to be the person(s) whose
name(s) is(are) subscribed to the within instrument and acknowledged to me that he/she/they
executed the same in his/her/their authorized capacity(ies), and that by his/her/their
signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s)
acted, executed the instrument.

WITNESS my hand and official seal.



Mary Adams Barnhill
SIGNATURE OF NOTARY

DO NOT FORWARD
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FOR RECORDATION
~~NOT FOR RECORDATION~~

ASSIGNMENT OF PATENT RIGHTS

Whereas, General Magic, Inc., a Delaware corporation, which operated its business at an office at 420 N. Mary Avenue, Sunnyvale, CA 94085 ("Seller") is the sole and exclusive owner of certain United States patents and patent applications listed in Exhibit A annexed hereto (collectively referred to as the "Patents"); and

Whereas Intellectual Ventures Patent Holding I, L.L.C., a Delaware limited liability company, with an office at 1422 130th Ave NE, Bellevue, WA 98005 ("Purchaser") is desirous of acquiring the right, title and interest in, to and under the said Patents.

Now, Therefore,

For good and valuable consideration, the receipt of which is hereby acknowledged, Seller does hereby sell, assign, transfer and set over to Purchaser, the Patents aforesaid, any reissue or reissues of said Patents already granted and which may be granted, any certificates of reexamination already granted and which may be granted the same to be held and enjoyed by Purchaser for its own use and enjoyment, and for the use and enjoyment of its successors, assigns or other legal representatives, to the end of the term or terms for which said Patents are or may be granted, reissued or extended as fully and entirely as the same would have been held and enjoyed by Seller, if this assignment and sale had not been made.

And, Seller, hereby authorizes and requests the Commissioner of Patents and Trademarks to issue any and all Letters Patents of the United States on said inventions to Purchaser as assignee of the entire interest, and hereby covenants that Seller has full right to convey the entire interest herein assigned, and that, except as otherwise provided between the parties, Seller has not executed, and will not execute, any agreements in conflict therewith.

This Assignment of Patent Rights is entered into pursuant to that certain Asset Purchase Agreement, dated as of May 27, 2003, by and between Seller and Purchaser, and is subject to the terms of such agreement in all respects.

In Witness Whereof, the parties, by their duly authorized representatives, have executed
this Assignment.

DATE: May 27, 2003

GENERAL MAGIC, INC.

By: Mary E. Doyle
Mary E. Doyle, Responsible Individual

-and-

INTELLECTUAL VENTURES PATENT HOLDING I,
L.L.C., a Delaware limited liability company
By: INTELLECTUAL VENTURES MANAGEMENT,
L.L.C., its sole manager

By: Peter N. Detkin
Name: Peter N. Detkin, Managing Director

Exhibit A

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[ATTACHED]

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Voice Patents

Issued Patents

- 6144938
- 6334103
- 5953392
- 6366650
- 6408272

Pending Applications

- 09/924,420
- 09/235,646
- 10/060,610
- 10//056,461
- 10/057,523
- 09/732,812
- 09/733,848
- 09/855,004
- 09/858,281
- 09/934,121
- 10/017,435
- 10/023,914

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State of Delaware
Secretary of State
Division of Corporations
Delivered 11:29 AM 11/24/2003
FILED 10:41 AM 11/24/2003
SRV 030759952 - 3649814 FILE

**CERTIFICATE OF AMENDMENT
OF
INTELLECTUAL VENTURES PATENT HOLDING I, L.L.C.**

The undersigned, being duly authorized to execute and file this Certificate of Amendment, does hereby certify as follows:

1. The name of the limited liability company is Intellectual Ventures Patent Holding I, L.L.C.

2. Paragraph 1 of the Certificate of Formation is amended in its entirety to read as follow:

"1. *Name.* The name of the limited liability company is Ben Franklin Patent Holding LLC."

IN WITNESS WHEREOF, the undersigned has duly executed this Certificate of Amendment on the 18th day of November, 2003.

Acquisition Management LLC, Manager

By: 
Gregory Gorder, Managing Director